



# STATE OF IDAHO

DEPARTMENT OF AGRICULTURE

JAMES E. RISCH  
Governor  
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Director / Secretary

## NEWS RELEASE

FOR IMMEDIATE RELEASE  
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### **STATE AND FEDERAL OFFICIALS UNVEIL PLAN TO PREVENT SPREAD OF POTATO PLANT PEST**

(BOISE) The U.S. Department of Agriculture's Animal Plant Health Inspection Service and the Idaho State Department of Agriculture announced today that they are taking specific steps to prevent the spread of a potato pest beyond an isolated part of eastern Idaho.

Potato cyst nematode (PCN) was discovered earlier this year in two fields in eastern Idaho. The nematode poses no threat to the quality of Idaho tubers, nor does it pose a health threat. Left unmanaged the plant pest is easily spread and can significantly reduce the yield of potato crops.

The two agencies have formulated parallel regulatory plans that call for restrictions on the movement and handling of potatoes within a defined area near Shelley, Idaho in Bingham and Bonneville counties. The area is between York Road on the north and Baseline Road on the south, the Snake River on the west and Park Road on the east. Potato growers in this specific area are being encouraged to have their fields sampled for potato cyst nematode.

Growers that have completed the sampling process will be able to move their products with minimal restrictions. Packers and processors receiving potatoes from unsampled fields in the regulated area may be required to modify their practices of dealing with tare dirt and water effluent. Potatoes and other regulated items will have to be accompanied by a permit from the USDA in order to move.

This is the first detection of PCN in the United States. PCN is a major pest of potato crops in cool-temperate areas. PCN has a very narrow host range, which includes potatoes, tomatoes, eggplant, and some weeds. It is difficult to detect, easily moved in soil, by farm machinery, and commodities with attached soil. This detection is important as potatoes are a significant trade commodity, both interstate and internationally. Some countries have already taken action to restrict the importation of potatoes from the United States due to the detection of this pest. These restrictions could have an economic impact on the \$4 billion dollar potato industry of the United States.

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## Questions and answers regarding PCN regulatory plan

**Q. Are all potato fields in Idaho regulated?**

A. No. Only the fields within the designated regulated area near Shelley, Idaho are regulated.

**Q. What items (articles) are regulated and how?**

A. The following items (articles) are regulated. Regulated articles may only be moved outside the regulated area if accompanied by a certificate or limited permit issued by an APHIS OR ISDA inspector.

- Potatoes
- Nursery stock
- Soil, compost, humus, muck, peat, and decomposed manure
- Grass sod
- Small grains and soybeans
- Hay, straw, fodder, and plant litter
- Ear corn, except shucked
- Used farm equipment
- Any other products, articles, or means of conveyance of any character whatsoever, when it is determined by an inspector that they present a hazard of spread of PCN.

**Q. Is a permit or certificate required for me to move potatoes (or other regulated articles) from my field to a packing house if the field is located outside the regulated area?**

A. No.

**Q. Must I have a negative PCN soil test on my potato field within the regulated area in order to get a certificate or limited permit to move regulated articles from that field?**

- A. No. There are differing circumstances under which you may be issued a certificate or limited permit to move potatoes (except seed potatoes) from a field in the regulated area.
- A certificate may issued if the fields where the potatoes were grown were surveyed by an inspector prior to planting and found to be apparently free of PCN. The PCN inspection certificate is valid for no more than 3 years.
  - A limited permit may be issued to allow the potatoes to move outside the regulated area to a specific site where they will be processed and packed at facilities under compliance agreement for the handling of potatoes from the regulated area.

**Q. How do I get a certificate to move other regulated articles like soil, humus, muck, peat, decomposed manure, grass sod, small grains and soybeans, ear corn (except shucked), hay, straw, fodder, and plant litter from within the regulated area?**

A. The articles must have been grown or located only at sites that have been surveyed by an inspector and found to be apparently free of PCN.

## **Questions and answers regarding PCN regulatory plan (page 2)**

**Q. What happens if I cannot meet the requirements for a certificate?**

A. Inspectors may be able to issue limited permits which will allow movement of regulated articles on a case by case basis until the requirements for a certificate can be met.

**Q. What about the movement of farm equipment from the regulated area?**

A. Farm equipment that has been used in any field that is infested with or potentially infested with PCN, or adjacent to such field located in the regulated area must be either (1) pressure washed to ensure that all soil has been removed, or (2) steam treated in accordance with an approved PPQ treatment before it can move freely under a certificate.

**Q. Are there any planting restrictions in the regulated area?**

A. Yes. Potatoes, tomatoes, eggplants or other host crops may not be grown in PCN infested fields.

**Q. What is the difference between a certificate and a limited permit?**

A. A certificate is a document, stamp, or imprint issued by an inspector to affirm that a specified regulated article meets applicable requirements to be moved interstate to any destination. A limited permit is a document issued by an inspector to allow the interstate movement of regulated articles that are not eligible for a certificate but that can be moved interstate for limited handling, utilization, or processing when, upon evaluation of the circumstances involved in each specific, case the inspector determines that such movement will not result in the spread of PCN. (Note: Certificates will not be issued for most regulated articles during 2006 because most fields were not sampled prior to planting. Field sampling prior to planting will facilitate the issuance of certificates for movement beginning with the 2007 crop year.)

**Q. Can potatoes from outside the regulated area be moved into the regulated area for packing, processing or storage.**

A. Yes. However, field run potatoes moved into the regulated area will become regulated. Potatoes and potato products which have been washed and the soil has been removed to the satisfaction of the Inspector or which have been processed to the extent that PCN would be devitalized are exempt from regulation.

**IDAPA 02 - DEPARTMENT OF AGRICULTURE**

**02.06.10 – RULES GOVERNING THE POTATO CYST NEMATODE  
(*GLOBODERA PALLIDA*)**

**DOCKET NO.**

**NOTICE OF RULEMAKING - ADOPTION OF TEMPORARY RULE**

**EFFECTIVE DATE:** The effective date of the temporary rule is August 28, 2006.

**AUTHORITY:** In compliance with Sections 67-5226, Idaho Code, notice is hereby given this agency has adopted a temporary rule. The action is authorized pursuant to Section 22-2013, Idaho Code.

**DESCRIPTIVE SUMMARY:** The following is the required finding and concise statement of its supporting reasons for adopting a temporary rule:

A new chapter, IDAPA 02.06.10 - Rules Governing the Potato Cyst Nematode (*Globodera pallida*) will be promulgated. The rule will specify its purpose, the regulated articles and regulated areas, the restrictions governing regulated articles and conditions governing the movement of regulated articles, inspection and disposition of regulated articles, and the penalties for violation of quarantine rules. This rule will parallel a Federal Order that will be effective concurrently with this rule. Rules must be promulgated to prevent the further introduction and dissemination of Potato Cyst Nematode into other states and areas of Idaho not included in the regulated area as outlined in the rule through the movement of infested plant material, plant products and soil.

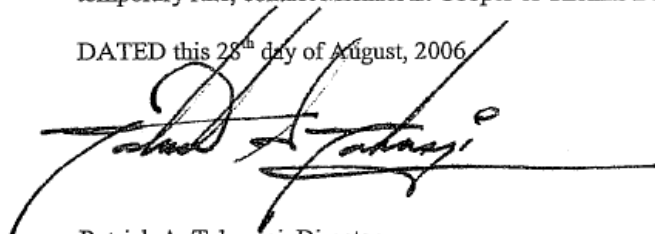
**TEMPORARY RULE JUSTIFICATION:** Pursuant to Section(s) 67-5226(1) a & c, Idaho Code, the Governor has found that temporary adoption of the rule is appropriate for the following reasons:

To protect the public health, safety or welfare and to confer a benefit.

**FEE SUMMARY:** Pursuant to Section 67-5226(2), the Governor has found that the fee or charge being imposed or increased is justified and necessary to avoid immediate danger and the fee is described herein:  
N/A

**ASSISTANCE ON TECHNICAL QUESTIONS:** For assistance on technical questions concerning the temporary rule, contact Michael E. Cooper or Thomas Dayley at (208) 332-8620.

DATED this 28<sup>th</sup> day of August, 2006



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**IDAPA 02  
TITLE 06  
CHAPTER 10**

**02.06.10 - RULES GOVERNING THE POTATO CYST NEMATODE (*GLOBODERA PALLIDA*)**

**000. LEGAL AUTHORITY.**

This chapter is adopted under the legal authority of Section 22-2013, Idaho Code. (8-28-06)T

**001. TITLE AND SCOPE.**

**01. Title.** The title of this chapter is IDAPA 02.06.10, "Rules Governing the Potato Cyst Nematode (*Globodera pallida*)."

(8-28-06)T

**02. Scope.** The purpose and goal of this rule is to prevent the spread of Potato Cyst Nematode (*Globodera pallida*) (PCN) throughout Idaho and the United States.

(8-28-06)T

**002. WRITTEN INTERPRETATIONS.** There are no written interpretations of these rules.

(8-28-06)T

**003. ADMINISTRATIVE APPEAL.** There is no provision for administrative appeals before the Idaho State Department of Agriculture under this chapter. Hearing and appeal rights are pursuant to Title 67, Chapter 52, Idaho Code.

(8-28-06)T

**004. INCORPORATION BY REFERENCE.**

Copies of these documents may be viewed at the Idaho State Department of Agriculture, 2270 Old Penitentiary Road, PO Box 790, Boise, Idaho 83701. IDAPA 02.06.10 incorporates by reference:

(8-28-06)T

**01. USDA APHIS PPQ Treatment Manual schedule T406-d.**

(8-28-06)T

**02. 7 CFR Part 305 –Phytosanitary Treatments.**

(8-28-06)T

**005. OFFICE -- OFFICE HOURS -- MAILING ADDRESS AND STREET ADDRESS**

**01. Street Address.** The central office of the Idaho State Department of Agriculture is located at 2270 Old Penitentiary Road, Boise, Idaho 83712-0790.

(8-28-06)T

**02. Office Hours.** Office hours are 8 a.m. to 5 p.m., Mountain Time, Monday through Friday, except holidays designated by the state of Idaho.

(8-28-06)T

**03. Mailing Address.** The mailing address for the central office is Idaho State Department of Agriculture, P. O. Box 790, Boise, Idaho 83701.

(8-28-06)T

**006. PUBLIC RECORDS ACT COMPLIANCE.** These rules are public records and are available for inspection and copying at the department.

(8-28-06)T

**007. -- 009. (RESERVED).**

**010. DEFINITIONS AND TERMS.**

The Idaho State Department of Agriculture adopts the definitions set forth in Title 22, Chapter 20, Idaho Code. In addition as used in this chapter:

(8-28-06)T

01. **Certificate.** A document, stamp, or imprint by which an inspector affirms that a specified regulated article meets applicable requirements of this subpart and may be moved intrastate or interstate to any destination. (8-28-06)T

02. **Farm equipment.** Mechanized cultivating equipment, harvesting equipment, soil-moving equipment, farm tools, crates, boxes, burlap bags, and other farm product equipment or containers. (8-28-06)T

03. **Infested Field.** Any field in which the presence of PCN is confirmed. (8-28-06)T

04. **Inspector.** Any employee of ISDA, APHIS, the U.S. Department of Agriculture, or other person authorized by the USDA APHIS Administrator or ISDA Director to perform the duties required under this rule. (8-28-06)T

05. **Limited permit.** A document issued by an inspector to allow the intrastate or interstate movement of regulated articles that are ineligible for a certificate but that can be moved interstate for limited handling, utilization, or processing when, upon evaluation of the circumstances involved in each specific case the inspector determines that such movement will not result in the spread of PCN. (8-28-06)T

06. **Nursery stock.** Plants with roots, plant crowns, roots for propagation, true bulbs, corms, rhizomes, and tubers of ornamental plants, and excluding soil-free aquatic plants. (8-28-06)T

#### 011. ABBREVIATIONS.

01. **APHIS.** Animal and Plant Health Inspection Service. (8-28-06)T

02. **ISDA.** Idaho State Department of Agriculture. (8-28-06)T

03. **PCN.** Potato Cyst Nematode. (8-28-06)T

04. **PPQ.** Plant Protection and Quarantine. (8-28-06)T

05. **USDA.** United States Department of Agriculture. (8-28-06)T

#### 012. – 019. (RESERVED).

020. **REGULATED AREAS.** In the State of Idaho, that part of the Township designated by "T 01 N; R 37 E" Boise Meridian, which lies east and south of the Snake River, and in Sections 10 through 36 and any other property found to be infested after the adoption of this rule. (8-28-06)T

021. **REGULATED ARTICLES.** The following are regulated articles, and may not be moved intrastate or interstate from a regulated area except in accordance with this Rule: (8-28-06)T

01. **Potatoes.** (8-28-06)T

02. **Nursery Stock.** (8-28-06)T

03. **Soil, Compost, Humus, Muck, Peat, and Decomposed Manure.** (8-28-06)T

04. **GrassSod.** (8-28-06)T

05. **Small Grains and Soybeans.** (8-28-06)T

06. Hay, Straw, Fodder, and Plant Litter. (8-28-06)T

07. Ear Corn, Except Shucked. (8-28-06)T

08. Used Farm Equipment. (8-28-06)T

09. Other Products. Any other products, articles, or means of conveyance of any character whatsoever, when it is determined by an inspector that they present a hazard of spread of PCN. (8-28-06)T

## 022. RESTRICTIONS.

01. Movement from a non-regulated area. Movement of regulated articles from a non-regulated area is subject to inspection by an inspector. Permits and certifications are not required. (8-28-06)T

02. Movement from a regulated area. Movement of regulated articles from a regulated area is subject to the provision of Section 02.06.10.023 of this rule. (8-28-06)T

03. Other restrictions. No potatoes, tomatoes, eggplants or any other known host crops may be planted in the infested fields. Soil must not be moved from the infested fields. Any equipment leaving the infested fields must be sanitized and certified using USDA APHIS approved protocols. (8-28-06)T

04. Seed Potatoes. Seed potatoes may not be grown in the regulated area. (8-28-06)T

023. CONDITIONS FOR INTRASTATE OR INTERSTATE MOVEMENT OF REGULATED ARTICLES. Regulated articles may only be moved intrastate or interstate from a regulated area by a person under a compliance agreement if accompanied by a certificate or limited permit issued by an inspector. (8-28-06)T

01. Movements Under Certificate. Certificates may be issued by an inspector for the intrastate or interstate movement of the following articles from regulated areas, provided they meet the conditions specified below: (8-28-06)T

a. Potatoes: (8-28-06)T

i. The fields where the potatoes were grown were surveyed by an inspector prior to planting and found to be apparently free of PCN. Certification of freedom from PCN is valid for no more than three (3) years; (8-28-06)T

ii. The potatoes were grown in a field in which no more than one potato crop was grown in the previous three (3) successive years; (8-28-06)T

iii. The potatoes were processed and packed at facilities in accordance with guidelines issued by the USDA APHIS Administrator and posted on the APHIS website; and (8-28-06)T

iv. Seed potatoes from regulated areas are not eligible for movement under certificate. (8-28-06)T

b. The nursery stock must have been grown at a site that has been surveyed by an inspector and found to be apparently free of PCN. (8-28-06)T

c. Soil, compost, humus, muck, peat, decomposed manure, grass sod, small grains and soybeans, ear corn (except shucked), hay, straw, fodder, and plant litter must have been grown or located only at sites that have been surveyed by an inspector and found to be apparently free of PCN. (8-28-06)T

d. Before being removed from the field, farm equipment that has been used in any field that is infested with or potentially infested with PCN, or adjacent to such field located in the regulated area must be either: (8-28-06)T

i. Pressure washed to ensure that all soil has been removed; or (8-28-06)T

ii. Steam treated in accordance with USDA APHIS PPQ Treatment Manual schedule T406-d and 7 CFR Part 305. (8-28-06)T

**02. Movements under Limited Permit.** Limited permits may be issued by an inspector to allow intrastate or interstate movement of regulated articles not eligible for certification under this subpart, to specified destinations for limited handling, utilization, or processing when, upon evaluation of the circumstances involved in each specific case the inspector determines that such movement will not result in the spread of PCN. (8-28-06)T

**024. INSPECTION, SAMPLING AND TESTING.**

In order to accomplish the purposes of this rule, an inspector may enter upon and inspect any public or private premises, lands, or means of conveyance, or article of any person within this state, for the purpose of inspecting, surveying, sampling, testing, treating, controlling or destroying any soil, plant or plant material thought to or found to contain or be infested with PCN.

**025. PENALTIES.**

Any person violating any of the provisions of these rules will be subject to the penalty provisions of Title 22, Chapter 20, Idaho Code. (8-28-06)T



